# Jihad

## The Holy War of Islam and Its Legitimacy in the Quran

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# Publisher's Note

The Islamic Revolution of Iran continues its triumphant mareh, despite the enemies' plots, and this year (1985) the Islamic Republic of Iran celebrates the sixth anniversary of the victory of the Revolution on Feb. 10, 1979. On this day, after a centuries-long night, the sun of Islam rose again in all its resplendent glory, and this historic event is celebrated in the Islamic Republic during the course of the "Ten-Day Dawn Celebrations" (Daheh-ye Fajr). On this auspicious occasion, we thank God, the Almighty, for strengthening the Revolution and for assisting us in our efforts to bring its message of salvation to the Muslims and the rest of the world's oppressed people. Indeed the secret behind its victory was trust in God, obedience to the laws of Islam, and the leadership of Imam Khomeini - may God continue to light our path by the light of his guidance. The present book is one of a series of publications brought out on the occasion of the sixth anniversary of the victory of the Islamic Revolution. We pray to God to keep us steadfast on the straight path of Islam, to confer upon us more sincerity and strength in our efforts to implement the laws of God. In Him do we trust and it is He who grants success.

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# *Lecture one*

## Questions about Jihad

*In the Name of God, the Merciful, the Compassionate.*

«And Fight those who have not faith in God, nor in the Hereafter, and (who) forbid not what God and His Prophet have forbidden and (who) are not committed to the religion of truth, of those who have been brought the Book, until they pay tribute by hand, and they are the low.» (9:29)

This Quranic verse concerns the People of the Book, meaning those non-Muslims followers of one of the holy books, namely the Jews, Christians and perhaps the Zoroastrians.
The verse is one of war with the People of the Book, but at the same time, it does not tell us to fight them; it tells us to fight only those of them who have no faith in God, in the Hereafter, and who do not abide by the rule of God, allowing what He has forbidden - and who are not religious according to the religion of truth. It is these People of the Book whom we are to fight until they pay the Jezyah (tribute). That is, when they are ready to pay the Jezyah and are humble before us, we are to fight them no more.

This verse gives rise to many questions which remain to be answered through a study of those Quranic verses pertaining to jihad, which we will set apart and review.

The first question that arises is what exactly is meant by the words,

«Fight those who have not faith in God»

Do they mean that we are to drop everything and start fighting or is it meant that we must fight them the moment they go beyond their territory and violate ours? In the terms of the learned of Islam, the ulema, this is an unconditional verse which, if there are similar verses that are conditional, must be interpreted as being onditional.

**A- *Conditional Verses and Unconditional Verses***
This term is a very important one, and I wish to explain it to you, for otherwise it will be difficult for you to grasp the full meaning of the verse under discussion. Any command (even a human command) can be given in one place with no conditions, and then again in another situation with a condition attached. In such a case, we immediately realize that whoever issued that command, introduced that law, meant the same thing in both instances. Now, having realized this, what are we to do? Are we to adhere to the unconditional command and assume that the conditional was given for that special instance? Or should we interpret the unconditional as the conditional which means adhering to the conditional?

Let me cite a simple example. On two separate occasions, for instance, we are given a command by someone having the authority to do so and whose commands we respect. On one occasion, we are told that we must respect such and such person, which is an unconditional command. In another he commands us to do the same thing, saying that we must respect that person if he does such and such a thing, like taking part in our meeting. The second time the command contains an "if." The command is now conditional. The person giving the command did not simply state that such and such a person is to be respected. The first command had no condition; we were simply

told to respect him, and assuming we had ears and heard this command. It would have meant to us that we were to respect that person whether he came to the meeting or whether he was too lazy to bother. But when we hear the other command, we understand that we are to respect the person provided he comes to the meeting, and, if he refrains from doing so, we are not to respect him. The ulema say that the rule requires us to interpret the unconditional as the conditional, meaning that we must assume the aim of the unconditional to be exactly that of the conditional.
Now, among the unconditional and conditional verses of the Quran pertaining to jihad, is one which we have seen:

«Fight ye those who have not faith in God, nor in the hereafter and (who) forbid not what God and His Prophet have forbidden»

In another verse, we are told:

«Fight in the way of God those who fight you» (2:190).

What are the meanings of these verses? Do they mean that we must fight these people regardless of whether they are about to attack us? Is the command unconditional so that we must fight them whether they intend or not to attack us, whether they are guilty of aggression or not?

There are two possible views. One is that the command remains unconditional. "The People of the Book are not Muslims, so we are allowed to fight them. We are allowed to fight the non-Muslims until we subdue them. If they are not Muslims and not People of the Book, we should fight them until either they become Muslims or we kill them. If they are People of the Book, we should fight them until they become Muslims or, if they do not become Muslims, until they pay us tribute - such is the opinion of those who say that the verse remains unconditional.

The other view, however; holds that the unconditional must be interpreted as the conditional. Someone with this view would say that the other Quranic verses bring us the conditions for the legitimacy of jihad, we realize that the true meaning of the verses is not unconditional at all. What, then, are the conditions for the legality of jihad? Amongst them, for example, are the following:

that the other side intends to attack us; or that it creates a barrier against the call of Islam, meaning that it negates the freedom of that call and becomes an obstacle to its diffusion, while Islam says that those barriers are to be removed. Or, likewise, in the case of a people subject to the oppression and tyranny of a group from amongst themselves, Islam says that we must fight those tyrants so as to deliver the oppressed from the claws of tyranny. This has been expressed in the Quran thus:

«Why is it that you do not fight in the way of God and the way of the deprived (mustazafin)?» (4:75)

Why is it that we do not fight for God and for the men, women and children who are subject to torture and tyranny?

**B- *Can We Fight All the People of the Book?***
The second question is related to the fact that the verse does not explicitly state that we are to fight all the People of the Book, but tells us that we are to fight against those of them who believe neither in God nor in the Hereafter,... who count as permitted that which God has forbidden, and who are not at all religious in line with any religion of truth. Now what does this mean? Does it mean that the People of the Book en masse - i.e. all the Jews, the Christians and the followers of

the different sects - have no faith in God, no faith in the Hereafter, no faith in God's ordinances and no faith in any religion based on truth, so that if one of them claims that he believes in God, he is a liar and does not actually believe in God? Is the Quran actually saying that all the People of the Book, however much they claim to believe in God, in reality have no such belief? Is it possible for us to argue that because the Christians claim Jesus is God or the 'Son of God," they really have no belief in God? Or that, because the Jews say things about Jacob, the Jews have no more faith than the Christians?

Or that those who say:

«The hand of God is tied» (5:64)

cannot be believers in the true God and the same applies to the rest of the People of the Book? Thinking in these terms will mean that we believe that the Quran does not recognize any faith in God or in the resurrection other than the faith of the Muslims. If we are asked why, we will say that the Quran states the beliefs of the People of the Book to be confused and misconceived. A Christian, even if he is a learned Christian scholar, recognizes God and even recognizes the Oneness of God, but at the same time, he may have some idea about Jesus or the angel Gabriel that pollutes his belief in the Oneness of God (Tawhid.) This is the view of some of the Quranic commentators. To them, when the Quran tells us we are to fight against the People of the Book, it means that we are to fight against all the People of the Book, that the faith in God of not one of them is a valid faith; that the faith in the resurrection and in what God has forbidden and permitted of not one of them is valid. What these commentators believe is that the word " Prophet" in this verse means the last of the prophets, Muhammad, peace and blessing be upon him and his household, and that "religion of truth" means the religion which mankind of today has the duty to accept, rather than a religion which was the duty of people to accept during some particular period in the past.

A different group of commentators, however, consider that with this statement, the Quran intended to show us that the People of the Book form two categories; that not all the People of the Book are the same; that some of them really do believe in God, and resurrection, really do believe in the laws of God, and these we are to leave alone. Those of them whom we are to fight are those who are People of the Book in name only, but who in reality, have no valid belief at all, and who do not consider forbidden that which God has forbidden, even what He has forbidden in their own religion. So it is not with all the People of the Book that we are to fight, but a group from amongst them. This is another issue in itself.[1]

**C- *Jezyah?***

The third question relates to the word jezyah or tribute. We are told to fight them until they pay the jezyah, which means until they either accept Islam or pay the jezyah. In the Quran there is no doubt that a difference has been maintained between the People of the Book and the polytheists, or mushrikin, those who formally worship idols and do not follow any holy book.

Nowhere in the Quran are we told to fight the mushrikin until they pay the jezyah, and to fight them no more once they have paid it. Concerning the People of the Book, however, we are told that once they are willing to pay the jezyah, we are to fight them no longer. This is a difference that clearly exists.

This brings us to this question, namely, what is jezyah? There is debate about the word itself. Some say it is not an Arabic word by origin; that it has no Arabic root, but is a derivative of the

Persian word gaziyet, the name of a tax introduced by Anoushiravan, the Sassanian King of Persia. This tax, however, was a poll tax on the people of Persia themselves and not on anyone else and it was collected for war. They say that the use of the word then spread from Iran to Hira, a town situated roughly on the site of present-day Najaf (in Iraq) and from there it was adopted by the rest of the Arabian peninsula where it became widely used.

Others reject this. Though it is true that jezyah and gaziyeh are very close, jezyah is an Arabic word from the root "jaza" - and this is the view of most etymologists. The real interest is not in the nature of the word, however, for what we are looking for is the nature of the essence which the word denotes. Is jezyah the extortion of "protection money" or "danegeld," a kind of blackmail? Does Islam tell us to fight so as to obtain blackmail and, when it has been paid, to fight no longer? A poet has even said: "We are such that from emperors we have taken taxes, then we even took their crowns and maces."

If the meaning of jezyah implies a kind of blackmail, the question arises as to what is the meaning of it all. What kind of instruction is it? Is it not a law of violence and brute force? What kind of basis in human rights and justice can it have, for Islam to give Muslims permission, even make it obligatory for them, to fight the people of other religions until they either accept Islam or buy the Muslims off? Both these alternatives present a problem, for fighting them until they become Muslims will mean imposing Islam on them, and fighting them until they buy the Muslims off will mean exacting wealth from them. Both alternatives are the use of violence and force, for either it means imposing beliefs upon them or forcefully extracting money from them. So here too we must enter into details to find out just what jezyah is. Is it really "blackmail," "protection money," "danegeld?"

Or is it something else?

Here, the Quran says "vahom sagheroon" meaning, "and they are the low," "while they are the low." Sagheroon comes from the word 'seghar" and 'seghar" means "low (small)." While they are the low. What is the meaning of "they are the low?" This is also the fourth question namely what is the meaning of they are the low? Does it mean that they must only humble themselves before your power or does Islam mean other matters besides humility (being humble)?

Here we must set aside the meaning of this verse and the questions that arise from it, and look at other issues that must be separately analyzed and discussed in preparation.

**D- *Philosophy and Goals of Jihad***

The fifth issue concerns the reason for the law of jihad in Islam. Some believe that there should be no jihad in religion at all: that religion should contain no law of war: that since war is a bad thing, religion must oppose it and not itself establish war as a law. We, on the other hand, know that jihad is a basic principle in Islam. When we are asked how many are the subsidiary beliefs of Islam (furuedin) we say, “Ten - prayer, fasting, khoms, zakat, hajj, jihad, etc.”[2]

Of the arguments that Christians propagate in an extraordinary fashion against Islam is this one. First, they ask why such a law exists in Islam and then they state that due to this legal permission, Muslims started wars with various peoples, forcibly imposing Islam on them. They claim that the Islamic jihads were all fought for the imposition of Islamic beliefs. It is due to this permission that Muslims imposed Islam by force, which is how, they say, up to now, Islam has always spread. They say that the principle of jihad in Islam and one of the basic rights of man, viz. freedom of

belief, are in eternal conflict. This is one of the issues to be discussed.

A second issue is the difference that Islam has maintained in the laws of jihad between the mushrikin - the polytheists - and the non-polytheists. There is a provision for living in harmony with the People of the Book that is not applicable to the polytheists.

Another issue is the question of whether Islam differentiates between the Arabian Peninsula and the rest of the world. Has Islam appointed for itself a place as its headquarters, its center, wherein no one from amongst the mushrikin or the People of the Book is admitted? And is that place the Arabian peninsula, while in other places Islam is not so severe, and, for example, lives in harmony with the mushrikin or the People of the Book? In short, is the Arabian Peninsula any different in these terms or not?

The answer is that between Mecca and other places, there is without a doubt a difference, and in the verse preceding the one under discussion we are told:

«The idolaters are filth, so they must not approach the Masjid ul-Haram (in Mecca).» (9:28)
The fourth issue concerns agreements with mushrikin. Is a Muslim allowed to make agreements with such people? Can he make promises to them? And if he does, is the promise or agreement to be honored or not?

The last issue concerns the conditions of war. When Islam has legalized warfare, what kind of warfare, in terms of the particular conditions of war, does Islam see as legal, and what kind of war does it see as forbidden? For example, does Islam consider the killing of a whole people to be lawful or forbidden? Does Islam view as permissible the killing of those who have not lifted the sword: old women, children, men who are peacefully engaged in their jobs and trades? Is the killing of all these in the view of Islam permissible or forbidden? These are all issues that have to be discussed. The verses pertaining to jihad occur in many places in the Quran. We shall try to compile all of them with the help of God so as to obtain the view of Islam on this matter.

**E- *The Legitimacy of Jihad***

The first issue that we shall consider will relate to the legitimacy of jihad, whether or not it is correct for a law of war to exist within the context of religion and the text of its commands. Protesters say, "No, war is evil, and religion must always be opposed to evil, so religion must always be opposed to war. It must always support peace. And, since it intends to support peace, it must not have any laws about war, and it must never itself go to war." This is the kind of propaganda that Christians carry on; weak and limpid, with no ground to stand on.

War - is it always bad? If in defense of a right, against oppression, is it still bad? Obviously not. We must regard the conditions and motives of war and consider for what motive and aim war is fought. There are times when war is aggression. When, for example, a group of people or a nation sets its greedy eyes on the rights of others, on the lands of others, or when it sets its sights on the common wealth of a people, or falls prey to over-ambition, to lust for pre-eminence or superiority, claiming that "of all races our race is the most outstanding, superior to other races, and thus we must rule over those races." Obviously, war for these reasons is not correct. Whether a war is launched to take possession of land, to seize ownership of national wealth, or due to contempt of others and out of sentiment of racial superiority, i.e. "those people are inferior to us who are superior, and the superior must govern over the inferior," it is a war of aggression. These types of war are certainly evil, and there can be no doubt about it. We will later talk about another type of

war, war for the imposition of belief.

But if a war of defense is undertaken in the face of aggression - others have occupied our land, or have cast their eyes on our wealth and property, or on our freedom and self-esteem, which they want to deprive us of, and intend to impose their rule over us - in these cases, what is religion to say? Is it to say, "War is absolutely evil, laying hands on a weapon is evil, picking up a sword is evil," and that it advocates peace? And we, when facing imminent attack and the risk of being destroyed, must we not go to war - If we do not, would it not mean failing to defend ourselves - on the pretext of peace? This would not be peace, this would be surrender.

**F- *Peace is not Submission***

In such an event, we cannot say that because we are the advocates of peace, we are opposed to war. Such a thing would mean that we are advocates of misery; advocates of surrender. Make no mistake, peace and surrender are as different from each other as chalk and cheese. The meaning of peace is honorable coexistence with others, but surrender is not honorable coexistence; it is coexistence that on one side is absolutely dishonorable. In fact, it is a coexistence that is absolutely dishonorable on both sides. On one side, the dishonor is aggression, and on the other side, it is the dishonor of surrender in the face of zulm, in the face of injustice and oppression.

So this fallacy must be eradicated, and a person who declares himself opposed to war, saying that war is totally bad - be it injustice or be it defense and resistance in the face of injustice - has made a great mistake. War that means aggression must be fully condemned while war that means standing up (qiyam) in the face of transgression is to be commended and necessary for human existence.

The Quran also indicates this matter, in fact it illuminates it. It says:

«And if God did not prevent mankind, some with others, the earth would be full of corruption.» (2:251)

and elsewhere it tells us:

«If God did not prevent people, some with some (others) then truly the cloisters and churches and synagogues and mosques - in which is oft brought to mind the Name of God - would have been destroyed» (22 :40)

So, if God did not prevent some people by means of other people, ruin and corruption would become the rule everywhere. Furthermore, it is for this very reason that all the countries of the world deem it necessary, essential for themselves to maintain armed forces for their defense. The existence of armed forces, the duty of which is to prevent aggression, is an absolute necessity. Now, if there are two countries that both have armed forces - one for aggression and the other for defense - do not say that the one which has an army without the intention of aggression is weaker than the other and if it were stronger it would also intend to aggress. We are not concerned with this matter. The fact is that the existence of an army for defense is essential for every nation in order for that nation to be strong enough to check any aggression against itself.

Thus, the Quran tells us:

«Prepare against them armies, of readied steeds: you frighten thereby God's enemies and your enemies.» (8:60)

The statement means, "prepare forces as much as you can and centralize your forces in your frontiers." Rebat comes from the word Rabt. Rabt means to tie. Rebat-ol-Kheyl means tied horses (horses tethered). The statement about horses in readiness is made because in the past, the strength of armies consisted mostly in horses, but naturally each age has its own characteristics. What the Quran is saying here is that for the fear of our strength to enter the hearts of our enemies and so as not to lay the idea of aggression in their mind, we are to build ourselves an army and make ourselves strong.

**G- *Difference between Islam and Christianity***
It is said about Christianity that it has the distinction of not having any rule governing war. We, on the other hand, say that Islam has the distinction of having the law of jihad. If we look closely, we see that in Christianity there is no jihad because it has nothing at all. By which I mean that there is no Christian structure of society, no Christian legal system, and no Christian rules as to how a society is to be formed, for these to contain a law of jihad. There is no substance in Christianity; it contains no more than a few moral teachings that form a set of advice such as "tell the truth", "do not tell lies", "do not gobble up the wealth of others", and so on. Such things do not call for jihad? Islam however is a religion that sees it its duty and commitment to form an Islamic state. Islam came to reform society and to form a nation and government. Its mandate is the reform of the whole world. Such a religion cannot be indifferent. It cannot be without a law of jihad. In the same way, its government cannot be without an army. While the scope of Christianity is extremely limited, that of Islam is extremely wide. While Christianity does not cross the frontiers of advice, Islam is a religion which covers all the activities of human life. It has laws which govern the society, economic laws, and political laws. It came to organize a state, to organize a government. Once this done, how can it remain without an army? How can it be without a law of jihad?

**H- *Islam and Peace***
Thus, those groups which claim that religion. Must always oppose war, and advocate peace, because peace is good and war is totally bad, are mistaken. Religion must of course advocate peace, and the Quran says: «Was-Solho khayron», «Peace is better», but it must also advocate war. If the opposing side is not ready to coexist honorably, for example, and being oppressive it intends to trample upon human dignity and honor, and we do submit, then we have welcomed misery: we have accepted dishonor. Islam says:

"Peace if the other side is ready and willing to accept it. If not, and it turns to war: then war."

**I- *Conditions for warfare***
The Second issue concerns the circumstances in which Islam says we must fight. The first verses of the Quran that come to us about jihad, in the accepted view of all the commentators, are those from Suratul-Hajj:

«Truly God defends those who have faith. Truly God loves not the treacherous rejecter (kafir). Permission (for warfare) is given to those who are attacked and definitely wronged. And truly God is capable of helping without justice, for no reason except their saying: "Our Nourisher is God" and if God did not prevent people, some with some (others) then truly cloisters, churches, synagogues, and mosques, in which the Name of God is oft brought to mind, would have been destroyed. And God will help whoever helps Him - for truly, God is Powerful, Prevailing - those

who, if we settle them in the earth, establish prayer, pay the zakat and command to what is recognized and prohibit what is rejected. And with God is the result of all affairs.» (22:38-41) These are amazing verses. They are the very first revealed Quranic verses concerning the legislation of jihad.

**J- *The Muslims in Mecca***

Before an examination of them, however, we must turn our attention to something else first. As we know, the first revelation was brought down to the Prophet in Mecca, when he was forty years old. After that, the Prophet lived thirteen years in Mecca, during which time, either he himself or his companions were terribly tortured by the pagans of the Quraysh, the ruling houses of Mecca; so much so that a group of them were forced to seek permission from the Holy Prophet to migrate. They left Mecca and went to Ethiopia. Repeatedly the Muslims asked the Holy Prophet for permission to defend themselves, but during the whole of the thirteen years that he was in Mecca, he did not grant it, for which there was a good reason, until at last his holy mission took solid shape and Islam spread, amongst other places, to Medina. There, a small group of Medinans had become Muslims, had gone to Mecca, had paid their allegiance to the Prophet, and had made a covenant that if he were to go to Medina they would support him. So the Holy Prophet migrated to Medina and the Muslims also migrated and, in Medina for the first time, an independent Muslim base was brought into existence. During the first year, permission for defense was still not given. It was during the second year of the hijrah that the first verses an jihad, these same verses I have just recited, were revealed. The tone of the verse goes thus:

«Truly God defends those who have faith... God loves not the treacherous rejecter.»

This indicates that the polytheists had been treacherous to the Muslims, had betrayed them, had transgressed against them, and had rejected God's blessing upon themselves. Then it declares:

«Permission (for warfare) is given to those who have been attacked and definitely wronged.»

Permission to fight has been given to those whom others have come to fight. Which means: "O Muslims, now that the polytheist rejecters have come to fight against you, fight them." In reality this is a state of defense. Why has this permission been given? Because the oppressed must defend themselves. Then comes a promise of help:

«And truly God is capable of helping them; those who have been expelled from their homes for no reason except for their saying:

"Our Nourisher is God"»

To those people who have been unjustly turned out of their homes and lands for no offense except that they said, "Our Rabb, our Lord, Master, Cherisher and Nourisher, is God," God gives permission for jihad. Their offense was that they said:

"Rabbonallah", "God is our Rabb." To such people does God give permission to fight.
Notice to what extent the verse adopts a tone of defense. Then it states the whole reasoning behind jihad. The Quran is amazing in the way it discloses realities and brings to mind all their details. For here comes a particular verse just as if the Quran had been confronted with all the questions and problems raised by the Christians of today, who say:
"O Quran. You are supposed to be a divine book, you are supposed to be a religious book, how can you give permission to fight? War is a bad thing, always say "Peace!" Say "Purity!" Say

"Worship!"

But the Quran tells us: No. If the other side becomes aggressive towards us and we do not defend ourselves, not a stone will be left upon a stone. All the houses of worship will be destroyed:

«And if God did not prevent people, some with some (others) then truly cloisters, churches, synagogues and mosques - in which the Name of God is oft brought to mind would have been destroyed.»

If God did not check the aggression of some people by means of others, all the houses of worship of all the different sects and religions would be destroyed. The churches of Christians, the synagogues of Jews, the monasteries, the masjids, places of prostration of Muslims, all would exist no longer. Some people would commit such aggression that no one would find the freedom in which to worship God.

The Quran then makes a promise of help:

«And God will help whoever helps Him -Truly God is Powerful, Prevailing.»

Whoever helps God, meaning whoever helps the truth and justice of reality, will be helped by God, and God is Powerful and ever the Victor.

Now notice how God describes those He helps. God helps the people who defend themselves, the people who, when they establish a government, form one on these lines:

«Those who, if we settle them in the earth, ... »

The people who, when God gives them a place to inhabit and sets up a government for them, the people who, when God gives them power and authority, form a state on these lines. What lines?

«... establish prayer,... »

They institute worship of God.

«pay the zakat... »

They pay the purification tax. Prayer is the correct spiritual bond between man and God, and zakat is the correct spiritual bond of cooperation between individuals. The people who worship God in sincerity and help one another,

«... and command to what is recognized and forbid what is rejected»
Who consider themselves as being under an obligation to promote what is good and to combat what is evil.

«And with God is the result of all affairs.»

The result of all matters, all subjects, are in the "hands" of God.

What we have learnt so far is that the Quran has fundamentally defined jihad not as a war of

aggression or of superiority or of authority, but of resistance against aggression.

Of course, the forms of aggression to be resisted are not always on the lines of one party invading the territory of another. Perhaps a form of aggression will be on the lines of the other side in its own territory subjecting to torture and tyranny a group from amongst themselves, a group that is weak and powerless, who, in the terms of the Quran, are called mustazafin. In such conditions Muslims cannot remain indifferently aloof. Muslims have a mandate to free such afflicted people. Or perhaps the other side has created such a terrible state of repression that the call of haqq, the call of truth, love and justice is not allowed to flourish; has created a dam, an obstacle - which must be destroyed. All these are types of transgressions. Muslims must free mankind from the chains of bondage of thought and the bondage of other than thought. In all these conditions jihad is an urgent necessity; and such a jihad is in defense, in resistance against zulm, against injustice and oppression, against transgression. The word "defense" in its general meaning means resistance against an existing zulm or injustice and oppression, but the types of zulm and the types of transgression against which jihad, in the view of Islam, is a necessity are still to be discussed.

 

# Lecture Two

## Defense or Agression

**A- *Christianity's Protest Against Islam***
Previously we said that one of the points that, in its own view, the world of Christianity considers to be a weak point of Islam is the issue of Islamic jihad, which prompts it to say that Islam is a religion of war, not a religion of peace, while Christianity is a religion of peace. It says that war is totally bad and peace is good, and any religion that is divinely founded must advocate peace which is a good thing, and not advocate war, which is a bad thing. Until yesterday Christianity looked at things from the angle of morals; morals exclusive to Christianity; morals that have entered the stage of "turning the other cheek;" morals that foster limpidity.

But Christianity today has switched positions. It has changed its face. It now looks at things from a different angle, and carries on its propaganda through a different channel, through the channel of essential human rights and the essential human right to freedom. Through the channel of "war being totally opposed to the right to freedom." To freedom of belief, to freedom of will, to freedom of choice of religion, nationality and other things. But we Muslims look at the issue from both angles, both from the moral angle and the standards of morals, and also from the angle of human rights and the "new" human standards. I stated the answer to this matter in the previous sitting. It is self-evident and clear that what the Christians are saying is not at all valid.

Of course peace is good. There is no doubt about it. And war, for the sake of aggression against other people - people who have no intentions against the aggressor, no intentions against that aggressive society - war for the sake of occupying that unsuspecting nation's lands and of grabbing their property, for the sake of enslaving its people, for the sake of subjecting them to the influence and laws of the aggressors, is undoubtedly bad. That which is bad is transgression and aggression. Aggression is bad. But all war, on all sides, is not always aggression. War can be aggressive and it can also be a reply to aggression, for sometimes the reply to aggression must be given by force. There are times that force is the only reply that can be given.

Any religion, if it is a complete religion, must have thought about what it will do on that day when it is faced with aggression, or, let us suppose, it is not itself faced with aggression but another people are. It is for such a day that religion must have a law of war, a law of jihad. The Christians say that peace is good, and we agree; peace is good. But what about submission, humiliation and misery? Are submission, humiliation and misery also good? If one power is faced with another power and both advocate peace, both of them desire, in today's terms, to live in peaceful coexistence without one power wishing to aggress the other, but both of them willing to live in peace with reciprocal rights and mutual respect, then this is called peace and is good and essential. There is a time, however, when one group is the aggressor and, on the pretext of war being bad, the other group accepts surrender, which means that the humiliation of having to tolerate aggression becomes imposed upon it. The name of this is not peace. The name of this is willing acceptance of humiliation and misery. Such a submission in the face of force can never be called peace. For example, while you are passing a desert, an armed bandit attacks you suddenly and orders you to "get off your car quickly, raise your hand and give me anything you have."

Here you submit yourself and say to him: "I am an advocate of peace and opposed to war completely. I'll accept anything you order. I give you my money, my luggage and baggage, my car and I'll obey anything you say. Say anything you want and I will give it to you. Because I advocate

peace." This is not advocation of peace. This is the acceptance of humiliation. In this case a man must defend his property, his prestige unless he knows that if he wants to defend, his property will be abolished, his blood will be shed and there will be no use in it. Of course it must be known that sometimes the blood is very effective and fighting is very worthful and it is not that someone's blood be shed at defile and then everything comes to end. No, resistance here is not wise and one must sacrifice one's money and wealth in order to save one's life.

There is a difference between the advocation of peace and the acceptance of humiliation. Islam never gives permission to be humiliated, while at the same time it strongly advocates peace. What I want to stress is the importance of this issue which Christians and others have used to attack and protest against Islam, claiming it to be Islam's weak point, adding that the life of the Holy Prophet was exactly this: that Islam is a religion of the sword; that Muslims raised the sword over the heads of people and said, "Choose Islam or die;" and that people accepted Islam in order to stay alive. Therefore, I think it is necessary for us to discuss this issue thoroughly and minutely, and we will use not only verses from the Quran, but also confirmed traditions of the Prophet and glimpses from his life. We shall start with the Quranic verses.

**B- *Unconditional verses about Jihad***

I said that some of the Quranic instructions about jihad against kufar (disbelievers) are unconditional, which means they state only this: "O Prophet Fight with the Kufar and the hypocrites." Or, in the case the verse pertaining to which we recited, after a period which is given to the polytheists (four months), if they have not adopted Islam or haven't migrated, then they are to be killed. (Does it mean in the surroundings of Mecca and around the sanctuary or every place? This question (must be discussed later.) Or that verse with which we began our discussion and which is about the People of the Book.

«And fight those who have not faith in God nor in the Hereafter and (who) forbid not what God and His Prophet have forbidden, and who are not committed to the religion of truth.» (9:29).

Or another verse:

«O Prophet, Fight the kufar (disbelievers) and hypocrites and be stern against them.» (9:73).

If we were to pay attention only to this verse, we would say that Islam fully instructs the Muslims to fight against kufar and hypocrites and they (Muslims) must never be in a state of peace with them, that Muslims must fight them, as vehemently as they can. They must fight them. And if we speak like this we will come to believe that the Quran nconditionally tells us to fight the non-Muslims.

I stated, however, that there is a scholastic rule that when both an unconditional and a conditional command exist, i.e. when there is an instruction that in one place is unconditional but in another place has a condition attached, then, according to the ulema, the unconditional must be interpreted as the conditional. The verses I have just recited are unconditional. Other verses exist that are conditional, meaning that they read like this: "O Muslims. Fight against those polytheists for the reason that they are in aggression against you, because they are in a state of war with you, and therefore you definitely have to fight against them."

Thus it becomes clear that where the Quran says: "O Prophet Fight against the kufar and hypocrites," it means that we must fight those kufar and hypocrites who are fighting us and who will continue fighting if we fight them.

**C- *Conditional Verses***
In Suratul-Baqarah, the Quran tells us:

«And fight in the path of God with those who are fighting with you and do not transgress, God loves not those who transgress.» (2:190)

O You of Faith. Fight those who are fighting you - i.e. fight them because they are fighting you - but donot violate the limit. What does this mean, not to violate the limit? Not to be the transgressor? Naturally its obvious meaning is that it is those who are fighting us that we are to fight and not anyone else, and that it is on the battleground that we are to fight, meaning that we are to fight with a certain group of people and that group is the soldiers that the other side has sent, the men of war whom they prepared for war with us and who are fighting us. These it is we are to fight, and, in everyday language, we are not to turn chicken on the battlefield: we are not to run away. We must cross swords, exchange bullets, and fight. But with people who are not men of war, who are not soldiers, who are not in a state of combat, such as old men, old women - in fact all women, whether they are old or not - and children, we must not interfere and we must not do any of the other things that are counted as transgression. We must not do these things. We must not cut down their trees (i.e. ruin their economic resources.) We must not fill their canals. Such things we must not do. These are all transgressions.

Do not be misled into thinking that if we have to fight with the soldiers of the other side, there is no option but to damage houses, etc. The fact that on such occasions, if such things cannot be avoided, is a separate issue. In Islam, such military operations directed at damaging houses, etc. are forbidden, unless we have no other choice.

Another conditional verse is the one which we talked about from Suratul-Hajj, which in fact consists of five or six consecutive verses and is the first revealed verse on jihad. It says that because the other side has lifted its sword against us, we can do the same.

In another verse of Surah at-Tawba, we are told:

«Fight with all the polytheists just as they fight with all of you.» (9:36)

**D- *Rushing to the Defense of the Oppressed***
Before touching this subject and the verses relating to it, a point must be mentioned. I stated that the permission for jihad is subject to some conditions. What conditions? One is that the opposing side is in a state of aggression. Those comprising this side are attacking us, and because they are fighting against us we must fight them. Are the conditions for jihad limited to just this: that the other side wants to fight us? Or are there other factors? Perhaps the other side does not propose to fight us, but is guilty of a gross injustice towards another group of human beings, and we have it in our power to save those human beings from the clutches of that aggressor. If we do not save them, what we are doing in effect is helping that oppressor's oppression against the oppressed. We may be in a situation whereby a party has not transgressed against us but has committed some type of injustice against a group from another people, who may be Muslims, or who may be non-Muslims. If they are Muslims - like today's plight of the Palestinians who have been exiled from their homes, whose wealth has been seized, who have been subjected to all kinds of transgression - while, for the moment, the transgressor has no intentions against us, is it permissible for us in such circumstances to hurry to the help of those oppressed Muslims and deliver them, or is this is not permissible?

Certainly this too is permissible. In fact it is obligatory. It would not be a case of commencing hostilities, it would be rushing to the defense of the oppressed especially if they are Muslims, to deliver them from the clutches of oppression.

But if the tyrannized person or party is not a Muslim, then the tyranny can be of two types. There is a time when the oppressor has positioned a people in a vacuum and blocks the call of Islam. Islam gives itself the right to spread its message throughout the world, but this depends upon there being the freedom for it to spread.

Imagine some government that says to the Muslims who are delivering the call of Islam to a nation: "You have no right to say what you are saying. We do not allow it." In these circumstances it is not permissible for us to fight with that nation, with those people who are blameless and unaware. But is it permissible for us to fight against that corrupt regime which props itself up with a putrid ideology that it uses like a chain around the necks of the people to imprison them in a blind alley, isolated from the call of truth; a regime which acts as a barrier against that call? Is it permissible for us to fight that regime so as to remove that obstacle? Or, in real terms, is it permissible for us to fight against that prison of epression or not? In the view of Islam this is also permissible for this itself would be a form of uprising against zulm, against injustice and oppression. It may be that the mazlum, the wronged, the ppressed, are not aware of the nature of the injustice and have not sought for help, but in fact there is no need for them to request it.
The seeking of help is another issue; assuming that the oppressed seek help from us, is it permissible or obligatory for us to help them? Even if they do not apply for help, is it still permissible for us to help them, or even obligatory? The answer is that it is not necessary for them to seek our help. The simple fact that the oppressed are oppressed, that an oppressive regime has erected a wall, a barrier, for its own well-being, preventing a nation from becoming aware of the Call wherein lies the prosperity and happiness of that nation, the Call which if they hear and become aware of, they are sure to accept; prompts Islam to say that we can break that barrier which, between it and those people, exists in the form of a repressive government.

**E- *Wars of Early Islam***

Many of the wars of Early Islam were fought for this very reason. The Muslims who went to war used to say that they had no fight with the peoples of the world, and that they were fighting governments in order to rescue peoples from the misery and slavery, imposed on them by those governments. When Rustam, the pre-Islamic champion of Persia asked those Muslims what was their goal, they replied: "To change the worship of worshippers from the worship of those who worship to the worship of God." - "Our aim is to free these creatures of God, these people whom, by your tricks and violence, you have placed under the yoke of slavery and bondage to your own selves. We are going to deliver them from the yoke of bondage to you. We are going to set them free, make them the devotees of God the Sublime, the devotees of their Creator; not the devotees of what is created by Him just as they themselves are."

In the letters that the Holy Prophet of Islam wrote to the People of the Book he particularly used to include this Quranic verse:

«Say: O You of the Book, come to an expression that is equal between us and you, that we worship none except God, and associate nothing with Him, and that some of us do not take others as our Lord.» (3:64)

Which instructed the Prophet to invite the People of the Book (those same people about whom the instructions of jihad were revealed) to accept an expression, an expression that was the same in

respect to them as it is in respect to us. It does not say that they are to accept an expression that is for our benefit and related only to us. It says that they are to accept the expression that is the same for all and the concern of all.

If, for example, we say to a people: "Come, O people, accept our language," then those people have the right to say: "Why? We ourselves have a language, why should we come and accept yours?" Or we might say: "Come and accept our special habits and customs," and they may say: "Why should we accept your habits and customs? We have our own." But if we say: "Come and accept this thing that is not ours and not yours, but is everyone's; God is the God of us all, so accept Him," this relates no more only to us. When we say: "Worship He Who is both our Creator and your Creator, rather He Who is the Creator of all," then this is the same for them as it is for us. The Quran says:

«Come to an expression that is equal between us and you.» (3:64)

Only God, the Creator of us all is to be worshipped. And another expression that is supremely, profitable both for us and for them is:

«And that some of us do not take others as our Lords» (3:64)

Which means that the social order of master and servant is canceled, and the order of equality between human beings is established.

This verse reveals that if we fight, we fight for a thing that is the same in regards to all mankind. Having stated this, we can now say that one of the conditions which the unconditional verse can be subjected to is that if a people are bearing the oppression of a certain group, it becomes permissible for us to fight to free those people.

Now there are two other verses that I wish to recite, the first one of which is a verse from Suratul-Anfal:

«And fight with them until there is no chaos, and religion is wholly for God.» (8:39)

What is the meaning of this? It means that we are to fight with those who create chaos amongst us and who want to cause us Muslims to relinquish our religion. With these we are to fight until the chaos they cause has been eliminated. This is itself a condition. A further condition is contained in verse 75 from Surah an-Nisa:

«And why is it that you do not fight in the way of God and the way of the mustazafin of men, women, and children.» (4:75)

O Muslims why are you not fighting in the way of God and in the way of those who are helpless. Men, women and children who are helpless in distress; why do you not fight for them? Why do you not fight to save them?

**F- *Interpreting the Unconditional as the Conditional***

These five verses that we have spoken about have shown us that, if the instructions of Islam about jihad given in some places are unconditional, in other places they are conditional, and in the terms of the scholars, the unconditional must be interpreted as the conditional.

**G- *No Compulsion in Religion***
In the Quran we have a group of verses which specify that religion is to be accepted freely and cannot be forced upon someone and this confirms what we have been saying namely that in Islam no one can be coerced, be told either to become Muslims or die. These verses illuminate those unconditional verses in a different way.

One is a part of Ayatul-kursi (2:255-257) and is well-known:

«La ikraha fid-din. Qat-tabayanar-rushdo min al-ghayy.»

«There is no compulsion in religion, for the truth has been made manifest from the false» (2:255)

Which means that we must explain clearly the right path to people; its own reality, is manifest. There is no place for the use of compulsion in religion, no one must be obliged to accept the religion of Islam. This verse is explicit in its meaning. In the Quranic commentaries it is written that an Ansari who had previously been a polytheist had two sons who had converted to Christianity. These two sons had become fascinated by Christianity and very devoted to it, but their father was now a Muslim and upset that his sons had become Christians. He went to the Holy Prophet and said to him: "Rasula-lah! What can I do to these sons of mine who have become Christians? Whatever I have tried, still they do not accept Islam. Do you give me permission to force them to leave their religion and become Muslims?" The Prophet said: "La ikraha fid-din, there is no compulsion in religion."

About the circumstances in which this verse was revealed, it is also written that there were two tribes, the Aws and the Khazraj, who were living in Medina, and who were the original inhabitants of Medina. At the dawn of Islam they were living there together with several large Jewish tribes who had come to Medina at a later period. One was the tribe, Bani Nazil, and another was the Bani Qoraizeh, while there was yet another large tribe of Jews that lived on the fringes of the city.
The Jews, having Judaism as their religion and having also a holy book, came to be more or less considered as the learned of that society, while, amongst the original inhabitants of Medina, who were polytheists and generally illiterate, there had newly come into existence a small group also able to read and write. The Jews, as a result of their superior culture and the wide dimension of their thoughts, exercised quite an influence on this group. Thus, despite the fact that the religion of the Aws and Khazraj was different from that of the Jews, nevertheless they allowed themselves to be influenced by Jewish ideas. As a result, they would sometimes send their children to the Jews to be educated, and while they were among the Jews, the children would once in a while renounce their pagan religion of polytheism and convert to Judaism. Thus, when the Holy Prophet entered Medina, a group of these boys from that city were being trained by the Jews and had chosen for themselves the Jewish religion, which some of them chose not to renounce. The parents of these children became Muslims, yet the children did not give up their new religion Judaism. And when it was settled that the Jews should leave Medina (as a punishment for the chaos they had instigated), those children also left with their fellow Jews. Their fathers came to the Holy Prophet asking him for permission for them to separate their children from the Jews, to force them to relinquish Judaism and to become Muslims; permission which the Holy Prophet did not give. They said: "O Rasula-lah! Allow us to force them to leave their religion and embrace Islam." The Holy Prophet told them: "No. Now that they have chosen to go with the Jews, let them go with them." And the commentators say that it was then that the verse:

«La ikraha fid-din. Qat-tabayanar-rushdo min al-ghayy» (2:255)

was revealed.

Another famous verse is:

«And call to the way of your Lord (Rabb) with the judgment and beautiful admonitions, and dispute with them with that which is beautiful...» (16:125)

Invite people to the path of your Rabba. With what? With force of sword? No. With beautiful admonitions and advice.

«And dispute with them with that which is beautiful... » (16:125)

With those who dispute with us, we must also dispute, beautifully. This verse has introduced clearly the way for Islam to be embraced.

In another verse we are told:

«The truth is from your Rabba, so whoever has the will so he must reject...» (18:29)

Whoever wants to believe will believe, and whoever wants to be a kafir will be a kafir. So this verse has also stated that faith and rejection, iman and kufr, can only be chosen by oneself, they cannot be forced upon one by others. So Islam does not say that others must be forced into Islam; that if they become Muslims, well and good, and if they do not, they are to be killed, that the choice is theirs. Islam says that whoever wants to believe will believe, and whoever does not want to, will not.

There is also this verse:

«And if your Rabb willed all the earth would have believed, in total, will you then compel them to be believers.» (10:99)

The verse is addressed to the Prophet. The Holy Prophet really loved the people and wanted them to be true believers. The Quran says that the use of force in the matter of belief is meaningless. If force was valid, God Himself, with His own Power of creation would have made believers of all the people, but belief is a thing that people must choose for themselves. God with all His Powers of creation and compulsion has not forced mankind to be true believers and has given them the free will to choose. Thus, for the same reason the Prophet also was to let them choose for themselves. He whose heart has the desire will become a good believer, and he whose heart does not want to, will not.

Another verse addressed to the Prophet says:

«Seemingly you will grieve yourself to death that they do not become good believers.» (26: 3)

«O Prophet! it is as if you intend to kill yourself because they have not believed as if you want to destroy yourself. Do not be so full of grief for their sakes. We, with Our Power of Creation and Might, if we wanted to force the people to belief we could easily have done so. If we willed it, we could send down the sky a sign to overshadow their neck, for them to be submissive» (26:4)

Here God says that if He wanted to send down from the sky a sign, an affliction, and tell the people that they must either become true believers or be destroyed by that affliction, all the people under compulsion would become believers, but He does not do so because He wants the people to choose for themselves.

These verses further clarify the idea of jihad in Islam and make clear that jihad in Islam is not that which some self-interested parties have said it is. These verses clarify that Islam's aim is not compulsion; that it does not command Muslims to raise the sword over the head of whoever is not a Muslim and offer the simple choice of Islam or death; that this is not the purpose of jihad.

**H- *Peace***

There is another group of verses occurring in the Quran which are also worth mentioning. On the whole, Islam gives much importance to the issue of peace. In one verse, it is explicitly defined:

«Was-solho Khayro» (Peace is better) (4: 128)

Though, as we have said, peace is not the same as violence, misery and submission to an oppressor. In another verse we are told:

«O you who have found faith, enter peace wholly.» (2:208)

But more illuminating still is this one:

«And if they incline to peace, then you incline to it, and trust in God» (8:61)

Here the Prophet is told that if the opponents advocate peace, if they make sincere efforts for peace, he too should make peace. If they sincerely desire peace, he too is to desire peace. These verses clearly show that the soul of Islam is the soul of peace.

In another verse which is in Surah an-Nisa, the Prophet is also told:

«So if they withdraw from you, have not fought with you, and have put forward peace to you, then God has not placed a path for you against them.» (4:90)

"O Prophet, if they have withdrawn from war, and have not fought against you, and have made a manifestation of peace, have said that they are ready to make peace with you, then God does not give you permission to advance any further and fight them."

In the same surah, it is further stated, this time about the hypocrites:

«And if they flee, then seize them and slay them wherever you find them, and take them not as your dear ones, nor as helpers. Except those who connect themselves to a people between whom and you there is a bond, or who come to you with their hearts hindered from fighting with you or from fighting their people.» (4:89-90)

If the hypocrites who are fighting us run away, they are to be taken and killed wherever they are, they are not to be taken as friends; we are not to accept help from them, except from those who have a treaty with people with whom we have a treaty, and who are ready to come to an agreement with us. These we are not to kill and with those who are tired of fighting, we are also not to fight.

Thus we have looked at four series of verses. One series consisted of those verses that tell us unconditionally to fight, so if we had ears and heard only these and not the others, it would be possible for us to think that Islam is a religion of war. The second series consist of verses that give the order to fight but with certain conditions; conditions such as the opposing side being in a state of war with us, or a mass of Muslims or non-Muslims having been placed under the heels of a group from amongst themselves which has trampled on their freedom and rights. The third series of verses make it perfectly clear to us that the call of Islam is not sounded with any force of arms. And in the fourth group Islam decisively announces its love of peace.

# *Lecture Three*

## Defense - The Quiddity of Jihad

One of the points that now comes into question is the Islamic view of the essence and quiddity of jihad. On this point there is complete agreement amongst researchers; the essence of jihad is defense, meaning that not one of them even suspects jihad, or any kind of fighting, that is motivated by aggression, by lust for the wealth and riches and other resources of the other side, for an aggressor's harnessing of a people's economic or human resources, to be in any way permissible in the view of Islam. In Islam, fighting based on such motives are types of zulm, types of tyranny and oppression. Jihad is only for the sake of defense, and in truth, it is resistance against transgression, and can certainly be lawful. Of course, there is also the third possibility that one fights not for the sake of aggression, nor in defense of oneself or of a human value, but for the expansion of a human value, and this will be discussed later. Leaving this point aside, however, we see that in the basic definition of jihad, there is no difference of opinion and all the researchers are agreed that jihad and war must be for the sake of defense. The differences of opinion that do exist are minor ones, and concern the question of what it is that has to be defended.

**A-** ***Types of Defense***
The opinions of some on this matter are limited. They say that defense means self-defense; that war is lawful for an individual, a tribe or a nation in defense of itself and its life. According to this, if the lives of a people are exposed to danger from another region, then fighting in defense of their lives is lawful for that people. In the same way, if their property is subject to aggression, then from the point of view of human rights, they have the right to defend that property which is their right. Likewise, if person is faced with the aggression of another nation that wants to take possession of its wealth and perhaps carry it away, then that people has the right to defend its wealth, even by force.

"Al-maqtulu duna ahlihi wa 'iyalihi shahidun."

Islam tells us that whoever is killed for his property or chastity is a martyr.[3] So, in Islam, defending one's chastity, is like defending one's life and property. In fact it is superior. It is the defense of one's honor. For a nation, to defend its independence, is undeniably lawful. So when a group wants to take away the independence of a nation and place that nation under its own mandate, if the people of that nation decide to defend themselves and pick up the gun, this action is lawful, in fact laudable and worthy of admiration. So, defense of life, defense of wealth, property and lands, defense of independence, defense of chastity, all these are lawful defenses. No one doubts the fact that in these cases, defense is permissible and as we have said, the view that some Christians put forth about religion having to advocate peace and not war, and that war is absolutely bad and peace is absolutely good, has no logical or reasonable basis to support it. Not only is fighting for the sake of defense not wrong, but it is extremely correct in this case to fight and one of the necessities of human life. This is what is meant in the Holy Quran when we are told:

«If God did not prevent mankind some with others, the earth would become full of corruption.» (2:251)

or again:

«If God did not prevent people, some with some (others), then cloisters, churches, synagogues, and mosques in which the Name of God is oft brought to mind, would have been destroyed.» (22:40)

Up to this point all the scholars are more or less in agreement.

**B- *Human Rights***
There exists the question, however, of whether the things we are allowed to defend are only these, i.e. individual, group and national rights, or whether it is legitimate for us to defend other things as well. Do there exist things, the defense of which is necessary and obligatory, that do not pertain merely to the rights of the individual, tribe or nation but pertain literally to the rights of humanity as a whole? If somewhere a right of humanity is somehow encroached upon, is it legitimate to fight it? Is war fought for the sake of humanity lawful or not?

Perhaps someone will ask: "What does fighting for the sake of humanity mean?" "I do not have to fight for any rights except my own personal rights, or, at the most, the rights of my nation." "What have I to do with the rights of humanity?" This mode of thinking, however, is in no way valid.

There exist certain things that are superior to the rights of the individual or nation. Certain things more holy, more sacred, the defense of which in accordance to the human conscience is higher than the defense of individual rights. And these are the sacred values of humanity. In other words, the sacredness of fighting in defense lies not in defending one's self, but in defending "the right." When the cause and criteria is "the right," what difference does it make whether it is an individual right or a general right of humanity? In fact, defense of the rights of humanity is holier, and although no one says so, it is freely admitted in actions.

For example, freedom is reckoned as one of the sacred values of humanity. Freedom is not limited to an individual or a nation.

Now, if it is not our freedom and not the freedom of our country, but freedom in another corner of the world that pertains to the right of humanity which is being infringed upon, is the defense of that right of humanity, simply for the sake of defending a human right, lawful for us or not? If it is lawful, then defense is not limited to the actual individual whose freedom is in danger, but it is lawful, even obligatory for other individuals and other nations to rush to the aid of freedom, and fight against the negator and repressor of freedom. Now, what is your answer? I do not think anyone has any doubt that the holiest form of jihad and the holiest form of war is that which is fought in defense of humanity and humanity's rights.

When the Algerians were at war with the French colonialists, a group of Europeans helped them in the war - either in the form of actually fighting alongside the Algerians, or in other ways. Do you think that only the fighting of the Algerians was lawful because their rights were transgressed, and that the people who came from the farthest corners of Europe to take part in thebattle to help the Algerian nation were no more than oppressor aggressors, who should have been told: "Stop your interference, what business is it of yours? No one has transgressed your rights, why are you fighting here?" Or is it that the jihad of such people was holier than the jihad of the Algerians, because the Algerians were defending the cause of their own rights, while the cause of the others was more ethical and more sacred than that of the Algerians. Obviously what holds valid is the second assumption.

Freedom lovers - both those who are in reality freedom lovers, and those who only pretend to be - have earned general respect; a respect from the different nations, due to their having presented

themselves as defenders of human rights, not the defenders of their own individual rights or the rights of their own nation or even their own continent. If they were ever to go beyond the use of the tongue, the pen, letters and lectures, and actually go to the battlefield and fight, for the Palestinians for example, or the Viet Cong, then the world would consider them to be even more holy. It would not attack them saying: "Why are you interfering? It is none of your business. No one is interfering in your affairs."

The world considers war, whenever it is for the sake of defense to be holy. If it is in self-defense, it is holy. If it is for the defense of one's nation, it is more holy, for the cause has grown from a personal one to a national one, and the individual is not simply defending himself but is also defending the other individuals that make up his society. And if the defense shifts from a national to a humanitarian cause, it again becomes a degree more holy.

**C- *The Minor Dispute***
Here then is the nature of the dispute about jihad; not a major dispute but a minor one. The dispute is not about whether jihad is only lawful in defense or is also lawful for defense. The dispute is over the definition of defense. This minor dispute is about whether the meaning of defense is limited to self- defense, at most the defense of one's nation, or whether the defense of humanity also comes into this category?

Some say, and they are right, that the defense of humanity is also a legitimate defense, so that the cause of those who rise to "command that which is recognized and forbid what is rejected" is a holy one. It is possible that someone's actual being is not transgressed, he may even be highly respected and all the facilities of life may be available to him and the same may apply to the material rights of his nation. But, from the point of view of human ideals, a basic human right is being transgressed. Meaning that within his society, although neither the material rights of that society nor his own individual rights have been transgressed, yet there exists a task awaiting to be performed in the best interest of humanity. Namely, when good and evil exist in society, the former must be enjoined, and become the order while the latter must be uprooted. Now, under these conditions, if such a person sees that the good, the recognized, the accepted, has been relegated to the place of the bad, the rejected, and that the rejected has taken the place of the recognized, and he stands up for the sake of commanding what is recognized and prohibiting what is rejected, then what is he defending? His own personal rights? No. Is it the rights, i.e. the material rights of his society? Again no. His defense is not related to material rights. What he is defending is a spiritual right that belongs to no single person or nation; a spiritual right related to all the world's human beings. Are we to condemn the jihad of that man, or are we to consider it sacred? Obviously we are to consider it sacred, for it is in the defense of a right of humanity.

On the question of freedom, you see today that the very people who are combating freedom, in order to give themselves an air of respectability, claim to be the defenders of freedom, for they know that defense of freedom is tacitly understood as being sacred. If they were really fighting for the defense of freedom, this would be valid, but they are giving the name of defense of freedom to their own transgression. Yet in this is their acknowledgment of the fact that the rights of humanity are worthy of defense, and that war for the sake of those rights is legitimate and beneficial.

**D- *Tawhid: A Personal Right or A General Right?***
Now an important matter must be looked at which is about tawhid, "La ilaha illallah." "There is no god but (except) God (Allah)." Does tawhid pertain to the rights of humanity, or to the rights of the individual? Here it is possible for a Muslim to say that tawhid does not pertain to the rights of humanity but pertains only to the affairs of the individual, or at most, to the internal affairs of a

nation; that he himself can be "muwahid,"[4] he has the choice of being "muwahid" if he wants to be, or a mushrak (polytheist), if he wants to be, and now that he has become muwahid, no one has the right to trouble him for it, it is his personal right, and, if someone else becomes a mushrik, then that is the right of that person. Any single nation in its laws can choose one of the following three positions: One is that it chooses tawhid and adopts it as the official religion and officially rejects any other religion. Another is that a form of shirk, of polytheism is established as the official religion, and the other is that the nation allows freedom of worship. One can choose whatever religion or creed one desires. If tawhid is embodied in the law of a nation then it is one of the rights of that nation and if not; no. This is one way of looking at things. There is another view, however, which regards tawhid as being like freedom and pertaining to the rights of humanity. When discussing freedom we said that the meaning of the right to freedom is not simply that the freedom of an individual be not threatened from any quarter, for it is possible that it be threatened by the very individual. So if a people fight for tawhid to combat shirk (polytheism), their fight is motivated by defense, not by subjugation, tyranny and transgression. This, then, is the nature of the minor difference in question.

Even amongst the learned of Islam there are two views. According to some of them, tawhid pertains to the general rights of humanity, so that fighting for the sake of tawhid is lawful, for it is the defense of a human right and is like fighting for another nation's freedom. Another group however, argues that tawhid pertains to individual rights and perhaps to national rights, but has nothing to do with the rights of humanity, and accordingly, no one has the right to trouble anyone else for the sake of tawhid.

Which of the two views is correct?

I intend to state my own view on this subject. But before doing so, I would like to speak about another issue, and perhaps on reaching a conclusion, the two issues will be seen as a single one. The point is that some affairs may be accepted under duress, i.e. accepted under compulsion, whereas some others as per their nature must be freely selected.

Imagine one, for example, becoming dangerously infected with a disease and having to accept taking an injection. In such a case, the one in concern can be forced to take the injection; if that person refuses it, others can come and his hands and feet can be forcefully tied; and if he continues to resist, the injection can be administered while he is unconscious. This is something which can be accepted under duress. The acceptance of other things, however, cannot be forced through compulsion, for other than by free choice, there is no way they can be accepted. Among such things we find the purification of the self, for example, and the refinement of one's behavior. If we want to refine people so that they come to recognize and accept virtues as virtues and evils as evils and refrain from faulty human behavior so that they eventually reject falsehood and embrace the truth, we cannot do so by the whip; we cannot do so by force.

With a whip, it is possible to prevent someone from stealing, but it is not effective in making an honest individual out of someone. For if such things were possible, then, for example, if the self of a person was in need of purification and his personal behavior sadly lacking in good morals and ethics, a hundred lashes meted to him would make of that person somebody with good morals and ethics. Instead of a good education, the teachers would simply use the whip and say:

"So that this person throughout his life, always tells the truth and finds lies repulsive, he is to be given a hundred lashes, and thereafter he will never tell a lie."

The same thing applies to love. Can one force a person to love another by the whip? Love and affection cannot be forced upon someone. No forces in the world, even if taken together cannot force love upon somebody nor take away his love for somebody.

Having made clear this point, I wish to say that faith, regardless of whether it is a basic right of humanity or not, is, by its very nature, not something that can be imposed by force. If we want to create faith, we should know that it is not possible to create it by force. Faith means belief and inclination. Faith means being attracted to and accepting a set of beliefs, and attraction to a belief calls for two conditions. One condition is that the matter must accord with the intellect, this is the scientific aspect of faith.

The other is the emotional aspect i.e. the human heart should be attracted to faith, and none of them comes within the realm of force. Not the first condition, because thinking is subject to logic - if it is desired that a child be taught the solution of a mathematical problem, he must be taught in a logical way so that he finds credence in it. He cannot be taught by the whip. His intellect will not accept a matter through force, and beating. The same applies to the second condition, the emotional quality, that stimulates inclination, attraction and sentiment.

According to this, there is a huge difference between tawhid as a right of humanity and things other than tawhid, such as freedom. Freedom is something that can be imposed on a people by force, because transgression and oppression can be prevented by force. But living freely and the freedom-loving spirit cannot be imposed by force. It is not possible to force a person to accept a belief or to forcibly create faith in a certain thing within his heart. This is the meaning of "La ikraha fid-din.

Qat-tabayanar-rushdo min al-ghayy," meaning there is no compulsion in religion. When the Quran says that there is no compulsion in religion, it does not mean that, though it is possible for religion to be imposed by force, we must not impose it and must leave people to adopt any religion they want. No. What the Quran is saying is that religion cannot possibly be imposed.

That which can be imposed under compulsion is not religion. To the Bedouin Arabs, who had recently accepted Islam without having perceived the nature of its essence and without Islam having influenced their hearts, who were claiming to have "faith," the Quran gave this reply:

«The Arabs say "we have faith," tell them: "you do not yet have faith, say "we have accepted Islam" for faith has not yet entered your hearts.» (49:14)

In Quranic terms "the Arabs" means the desert nomads. The nomads came to the Holy Prophet Muhammad (May God bless him and his Household) claiming to have faith. The Holy Prophet was instructed to tell them that they did not have true belief, faith and that only that when they had said they had become Muslims, i.e. had made the verbal declaration, had done that which entitled them to be superficially rated as Muslims, had recited "La ilaha illallah, Muhammadan rasulullah," could they avail themselves of the same rights that belong to a Muslim. The Prophet was to tell them, however, that that which is called faith had not yet entered their hearts.

«... for faith has not yet entered your hearts.» (49:14)

This tells us that faith is related to the heart.

Another factor that supports our claim is that Islam does not permit taqleed (imitation) in the fundamental beliefs of religion and counts independent research as essential. The fundamental beliefs of religion are of course related to belief and faith. So it becomes clear that, in Islam, faith is a product of free thought. The faith and belief which Islam calls for cannot be acquired through non-free thoughts subject to "taqleed," force and compulsion.

So now we realize the two views of the Islamic researchers to be quite close. One group argues that tawhid pertains to the universal rights of humanity and as it is undeniably legitimate to defend the rights of humanity, so it is legitimate to defend tawhid and fight against others for its sake. The other group claims that there is absolutely no legitimate way that tawhid can be defended, and, if a nation is polytheistic, we are not permitted to fight it on that account. Now, the proximity of both views lies in the fact that, even if we consider tawhid to be a human right, still we cannot fight another nation to impose the belief in tawhid upon them, for as we have seen, by the very nature of its essence, tawhid is not something that can be imposed. There is another point also, namely, that if we reckon tawhid as a right of humanity, and if we see that it is in the best interests of humanity and if tawhid demands, then it is possible for us to fight a nation of polytheists, but not to impose tawhid and faith upon it for we know that tawhid and faith cannot be imposed.

We can however fight the polytheists in order to uproot evil from that society. Ridding a society of evil, polytheistic beliefs is one thing, while imposing the belief of tawhid is another.

According to the view of those who consider tawhid to be pertaining to the rights of the individual or at most to the rights of a nation, this is not permissible. The predominant line of thought in the West, which has also penetrated the ranks of us Muslims, is exactly this.

Such issues as tawhid are regarded by the Europeans as personal issues and not at all important to life; more or less as custom from which each nation has the right to choose. On this basis, it is held that even for the sake of uprooting evil, no one has the right to combat polytheism, because polytheism is not iniquity, and tawhid is a purely personal issue.

If, on the other hand, we consider tawhid to be a universal issue, one pertaining to the rights of humanity and one of the conditions for humanity's general welfare and prosperity, then we see it as permissible to commence war with the mushrikin for the sake of the demands and defense of tawhid and in order to uproot corruption, even though war for the sake of imposing the tawhidic[5] belief is not permissible.

Here we are entering upon a different issue, namely whether fighting for the freedom of the "call" is permissible or not. What does it mean - fighting for the freedom of the call? It means that we must have the freedom to propagate a certain faith and belief to any nation. Not the generally current propagation which aims solely at propaganda, but propagation in the sense that we just explained. Nothing more. And now, whether we consider freedom to be a universal human right, or tawhid to be so, or both of them to be universal human rights, to do this is definitely lawful. Now, if a barrier arises against our calls, like some power, say, presenting itself as an obstacle, denying us permission, saying that we will impair the mind of its nation - and we know that most governments consider as impairing all thinking which may encourage the people to revolt against them - if such a regime sets itself up as a barrier to the call of truth, is it permissible to fight against it until it falls and the barrier against the call broken down, or is this not permissible?

Yes, this is also permissible. This would be for the cause of defense. This would be one of those jihads, the actual nature of which is defense.

**E-** ***The Measure of Rights - Individual and Universal***
So far we have seen that the essence of jihad is defense. There is now just one issue that remains, which is whether, in our view, tawhid pertains to the universal rights of humanity, or to the personal rights of an individual, or at the most, to the rights of a nation. What we have to do is look at the criteria for personal rights, universal rights of humanity and see what they are. In some things human beings are all the same, while in some other, they are different. Human beings differ in so many ways that even two persons cannot be found who, in every detail, are exactly the same. The same as two individuals having the same physical characteristics do not exist, it is also true that no two persons do have the same spiritual characteristics. It is the interest which relates to the common demands and needs of all human beings that are the universal rights. Freedom means the absence of obstacles to the flowering of the natural potentials of the individual, and it relates to all of humanity. Freedom for me has exactly the same value as it has for you. It has the same value for you as it has for others. Between you and I, however, there exist many differences, and these pertain to the "personality," because they are personal differences. The same as color and the physique differ in human beings, their personalities also differ. I may like clothes of a certain color, while you like those of a different color. I may like to live in one town, while you prefer another one. I may arrange and decorate my home in one way, while you choose a different way. I may select one subject for study, while you select another. These are all personal issues, for which, no one can be bothered. Thus no one has the right to compel someone to marry a particular person, for marriage is a personal issue and in choosing a marriage partner, everyone has his own taste to suit. Islam says that no one must be compelled in choosing his or her partner because this choice is one's personal right. The Europeans who say that no one must be bothered for the sake of tawhid or faith, say so because they think that these two concepts are amongst the personal concerns of the individual, are issues of the personality, individual matters of taste. To them, religion is something which brings entertainment to all human beings.

In their view, it is like art; one person likes Hafiz, another likes Sa'adi, another likes Maulavi, another likes Khayam, another Ferdowsi[6] and no one must bother the one who likes Sa'adi saying: "Why do you like Sa'adi? I like Hafiz. You also have to like Hafiz." To them religion is just this. One person chooses Islam, while another chooses Christianity, another chooses Zoroastrianism, while yet another, is least bothered about all of them. No one must be troubled. Religion in the view of these Europeans is not related to the core of life, to the path of human life. This is their basic supposition, and between their line of thought and ours, there exists a world of difference. Religions like their own religions must be as they say, but to us, religion means the "siratul-mustaqim," the "straight path" of humanity and being indifferent to religion means being indifferent to the straight path, to the real path of progress, of humanity. We say that tawhid is the pillar of well-being, prosperity and happiness of mankind, and is not merely the personal concern of the individual or the sole concern of this or that group. Accordingly, the truth lies with those who believe tawhid to be pertaining to the rights of humanity. If, at the same time, we say that war for the imposition of tawhid is not permissible, it is not because tawhid pertains to those affairs which must not be defended and not to humanity's general rights, but because the very nature of tawhid does not allow it to be imposed, as the Quran confirms: "la ikraha fid-din."

**F-** ***Freedom of Thought or Freedom of Belief***
Another point which should be stressed here is that there exists a difference between "freedom of thought" and "freedom of belief." Human beings are endowed with the faculty of thought which enables them to make decisions on the basis of thought, logic and reason. But belief entails a strong tie to the object of belief. And by the way, numerous are the beliefs that are not based on thought, but are sheer imitation, a result of upbringing and habits, and which even molest human

freedom. What we say, looking at things from the point of view of freedom, is that what mankind must have, is freedom of thought. Yet there are some beliefs which are not in the least rooted in thought; they have their root in the mere dormancy and stagnation of the spirit, handed down from generation to generation; they are the essence of bondage, so that war fought for the sake of eliminating such beliefs is war fought for the freedom of humanity, not war fought against it. If a man prays for his needs to a self-made idol, then, in the words of the Quran, that man is lower than an animal. This means that the act of this man is not based at all on thought. A little bit of thinking would not allow him to engage in such an act. What he does is merely a reflection of the stagnation and dormancy which have appeared in his heart and in his soul, and which are rooted in blind imitation. This person must be forcibly freed from the internal chains which shackle him, to enable him to think. So, those who recommend the freedom of imitation and apparent freedoms which in fact enchain the souls such as the freedom of belief are in error. What we advocate, in accordance to the verse "la ikraha fid-din," is the freedom of thought.

# *Lecture Four*

## The Question of Abrogation

**A-** ***Abrogation***

Our discussions have been about Islamic jihad. Tonight, there are three issues that I wish to speak about, one of which has a Quranic basis, the other, reason as a basis, and the third, has both a Quranic basis and a historical one.

The issue that has the Quranic basis is in connection with the Quranic verses about jihad. Before, we had said that some of the verses about jihad are unconditional while others are conditional. Unconditional verses are those where the command to fight the polytheists or the People of the Book has been issued without any conditions and conditional verses are those which have given the command accompanied by special conditions. For example, it has been stated that we must fight them if they are fighting us, or if they are in a state of war with us, or if we have reason to fear an imminent attack from them. To the question as to which verses should be observed, the conditional or the unconditional, we say that in the view of the ulema, there exists no difference of opinion to leave us in doubt, for, if we are aware of the rule and we study both types of verses, we will realize that the conditional verses are explanations of the unconditional ones. So, according to this, we must get the meaning of jihad from what is explained by the conditional verses, which means that the Quranic verses do not recognize any verse about jihad as being obligatory.
Yet, some commentators have brought up this issue of abrogation. They agree that many verses of the Quran set conditions for fighting against the non-Muslims, but they say that other verses have been revealed that abrogate all those instructions and conditions. Thus, we come to abrogations, about that which abrogates and that which is abrogated. Some think that the first verse of Surah at-Tawba - which issues the complete command of jihad and immunity to the polytheists, fixing a period for them to stay in Mecca after which they had to leave and the Muslims were to besiege them in their fortifications and hiding places and kill them, and which, furthermore, was revealed in the ninth year of the Hejira - has in one blow abrogated all the instructions about jihad that were previously revealed. Is this the correct view?

No, this view is incorrect. Why? For two reasons. One is that we can only consider a verse to have abrogated another when it is incompatible with it. Imagine a verse being revealed commanding not to fight the polytheists at all followed by another allowing for fight. Good. This would mean that God has canceled the previous instruction. This is the meaning of abrogation, that the first instruction is annulled and replaced by another. So the second instruction must be such that it is fully incompatible with the first. However, if collectively, the contents of the first verse and the second one are compatible, so that one clarifies the other, then there is no further question of one being an abrogator and the other being abrogated.

The verses of Surah at-Tawba are not such that they can be said to have been revealed so as to nullify the previously revealed ones, which attached conditions to jihad. Why not? Because, when we consider all the verses of Surah at-Tawba collectively, we see that they tell us to fight the polytheists because they do not observe one of the essential principles of humanity - keeping one's promises - which one and all know, must be kept, even if the law of one's particular nation does not stress this duty or heed it at all. Thus the verses tell us to fight, because if we conclude an agreement with them. whenever they see the opportunity to violate it, they would do so and strive to destroy and annihilate us. Here, what does reason tell us? If we know for sure that a nation intends to destroy us on the first opportunity, does reason tell us to wait for them to do so before

we do anything about it? If we wait, they will destroy us. In today's world, we may see a nation attacking another because of clear evidence that the other nation has made the decision to attack them, and when that nation attacks, the whole world will say that it is permissible, that they did the right thing. No one would say that although they knew and had clear evidence that, for example, the enemy had the intention of attacking on a certain day, yet they had no right to attack the enemy today, that they should have waited with folded arms for the enemy to attack and only then, should they have gone into action themselves.

The Quran in those same verses of Surah Bara'at, the most strict verses of the Quran, tells us:

«What! And if they prevail over you, not observing any relationship with you, nor treaty. They mollify you with their mouths while their hearts are adverse to you.» (9:8)

It tells us that, if they find the opportunity, they observe no promise or treaty, and whatever they say comes only from their tongues, while their hearts are in opposition. So these verses are not so unconditional as has been thought. What they actually say is that, on sensing danger from the enemy, for us to fold our arms and delay would be a mistake. Thus we must not think that these verses are completely out of accord with the other verses and they should not be considered as abrogators. This is the first reason why these verses are not abrogative.

**B-** ***No Generality without an Exception***
The second reason was given by the ulema of usul ul-fiqh - and if I can explain it to you, then the meaning concerning this verse will become clear.

The ulema say:

"Maa min 'amman illa waqad khussa"

"There is no generality that is without an exception." And this is absolutely right. We are told to fast, but not when we are ruled as traveling, or too sick. There are similar exceptions generality that has no exception. Even this very rule has exceptions. There are some generalities that really have no exceptions and admit none.

The point of this is that some issues refuse to be abrogated, refuse all exceptions. The tone of these generalities is that they can admit no exceptions. For example, in the Quran we are told:

«If you are thankful God is pleased with it.» (39:7)

and to this there can never be any exception. It is not possible that there will come a time when a person will be sincerely grateful to God, and God will not be pleased. No. This is not something that in certain circumstances will be any different, unless that person becomes ungrateful. Similarly concerning abrogation, some verses are such that  undamentally abrogation is not applicable to them because the meaning of abrogation is that the abrogated order was a temporary order. This means that certain things do not admit being temporary. If they be, they must always be. Why? Now I will give you an example.

For example, let's take the verse of the Quran which tells us:

«And do not transgress, God loves not the transgressors.» (2:190)

This has a generality in regard to individuals and continuity in regard to time. Is it possible for us to maintain exceptions to this generality? Can we say that God does not like oppressors with the exception of a few? The holiness of divinity on the one hand and the filth of zulm, of injustice and oppression on the other are not two things that go together for us to be able to say that God does not love transgressors with the exception of so and so. This is a generality that admits no exception. This is not like fasting where we say that we must fast unless we are in such and such a condition. As regards fasting it is possible that in a certain state a person must not fast, but zulm is not a thing whereby we can say that in one instance we must be unjust and in another we must not. Wherever there is injustice and oppression, it is wrong and a crime, irrespective of who has committed it. Even if it were the prophets of God who committed it, still it would be blameworthy, and regarded as sin and disobedience. God does not love anyone who is disobedient. We cannot say "except the injustice of His prophets." Even this is unacceptable. Even if the prophets, (may God spare me for the thought) committed sins, they would not be loved by God. The difference between a prophet and others is not that he committed sins and God loves him nevertheless; but that he never commits any sin while others do. This, then, is a generality which admits no exceptions. Concerning the time factor also, the same thing applies.

Can it be said that a certain fact pertains to a certain time? That God loves transgressors for a while, but then changes His mind, cancels His original position, and says that thereafter, He loves transgressors? No, this is a thing that admits no abrogation.

We can see how in one of the verses about jihad the Quran says:

«And fight in the way of God with those who are fighting with you and do not transgress, God loves not those who transgress.» (2:190)

With those who fight us, with those who have commenced some type of aggression against us, we are to fight. But we are not ourselves to be aggressors. Fighting against aggression is not aggression. But fighting against other than aggression is aggression and not lawful. We are to fight against aggression so as to eliminate aggression; but if we fight against other than aggression then we ourselves become aggressors. This is not something that admits abrogation. It is possible, for example, that permission for jihad and self-defense be withheld for a while in our own best interests, for us to endure and persevere for a while and then, later, the call for jihad is given, meaning that the command to be patient is canceled because it was only for a limited period. The cancellation of this command is because from the very beginning it was meant to be a temporary one.

**C- *Defense of Humane Values***

According to this, the Quran limits jihad strictly to a type of defense and only permits it in the face of aggression. But in our last lecture, we said that jihad for the expansion of human values, even if they are not threatened, cannot be condemned, and we also said that the meaning of aggression is a general one, meaning that it is not necessary for aggression to be against life, against property, against chastity, against land - it is not even necessary for it to be against independence, against freedom - if a group transgresses against values that are counted as human values, then this is aggression.

I wish to cite a simple example. In our age, huge efforts are being directed at uprooting various diseases. So far the primary causes of some diseases like cancer have not been discovered, and their cure is likewise still not known. But at present, there exists medicines which can temporarily delay the effect of these diseases. Supposing that some institution discovers the cure to one of

these diseases, and that those other institutions which profit from the very presence of that disease, those factories which manufacture the medicines that can be used to postpone the effects of that disease, in order to prevent their market from collapsing - in which case millions, billions of dollars would be lost - destroy that newly discovered cure which for humanity is so beneficial; destroy those who are connected with it; destroy the newly discovered formula so that no one would know about it. Now, is such a human value to be defended or not? Can we say that no one has attacked our lives or our property, no one has interfered with our chastity, our independence or our territory, but that in one of the corners of the world, somebody has made a discovery and someone else is trying to destroy it, and ask, what has it got to do with us? No. This is not the place for such a question. Here a human value is being threatened. In such a case, if we take the stance of resistance and war, are we to be called aggressors? No, we have risen to oppose aggression, and to fight the aggressors.

So, when we say that the basis of jihad is defense, we do not mean defense in the limited sense of having to defend oneself when one is attacked with the sword, gun or artillery shell. No, we mean that if one's being, one's material or spiritual values are aggressed or in fact, if something that mankind values and respects and which is necessary for mankind's prosperity and happiness, is aggressed, then we are to defend it.

Here, we come again to our previous discussion about whether tawhid is a personal issue, whether it is one of the values of humanity. If it is the latter that must be defended, so that if amongst a set of laws there is one which dictates that tawhid must be defended on the principle of it being a basic human value (as in Islam, for example), this does not mean that aggression is considered lawful. It means that tawhid is a spiritual value and the meaning of defense is so wide that it includes the defense of spiritual values.

Nevertheless, I will again repeat that Islam does not say we must fight to impose tawhid, for tawhid is something that cannot be imposed because it is faith. Faith is built on discernment and choice, and discernment is not influenced by force. The same applies to choice. "La ikraha fid-din" means we must not compel anyone for faith is not something that can be forced upon someone. However, "La ikraha fid- din," does not imply that we are not to defend the rights of tawhid. It does not mean that, if we see "La ilaha illallah," "No god but Allah," being threatened from some direction, we are not to defend it. No, not at all.

**D- *Freedom of Belief, or of Thought?***

That religion must not be imposed on the individual and that people must be free in their choice of religion is one thing. That belief, however, in the current phraseology, must be free, is quite another. In other words, whereas freedom of thought and choice is one thing, freedom of belief is quite another. Many beliefs have "thought" for a foundation, meaning that many beliefs have been discerned and found to be true and have been freely chosen. The alignment and commitment of an individual's heart to his beliefs in many cases is built on discernment and selection, but are all human beliefs built on thought, discernment and selection? Or are the majority of mankind's beliefs no more than alignments and commitments of the human soul that have not the slightest relationship to thought at all, that have a mere sentimental basis? An example the Quran cites on the subject of imitation by one generation of the previous generation is:

«Verily we found our fathers on their creed and verily we are followers of their footsteps.» (43:23)

The Quran puts great stress on this point, and the same applies to a belief that is formed by the imitation of the patricians of society. In such places, the phrase freedom of belief is completely

without meaning, for freedom means the absence of obstacles to the activities of an active and advancing force, whereas this type of belief is a kind of constriction and stagnation.

Freedom in constriction is equal to the freedom of a prisoner condemned to eternal imprisonment, or of a man chained in heavy chains, and the only difference is that he who is physically enchained senses his condition, while he whose spirit is in chains is unaware of it. This is what we mean when we say that freedom of belief based on imitation and environmental influences, rather than on freedom of thought, is totally meaningless.

**E- *"Jezyah"***

The final issue to be discussed is jezyah, i.e. tribute. In one of the Quranic verses, it has been revealed that we are to fight the People of the Book unconditionally or those who do not have real faith until they pay jezyah. What is jezyah? Is the meaning of jezyah some kind of "protection money" or "danegeld?" Were the Muslims who took jezyah in the past taking protection money? Protection money, seen from any angle, is injustice and oppression and the Quran itself negates it in all its forms. Jezyah finds its root in the word jaza. Jaza in the Arabic language is used both for reward and for punishment. If jezyah in this context means recompense or punishment, then it can be claimed that its meaning is "protection money" or "danegeld," but if it means a reward, which it does, then the matter changes.

Previously we said that some have claimed that jezyah is fundamentally a non-Arabic word, that it is originally Persian, that it is the Arabicized form of the Persian word "gaziyeh," the name of a head-tax which was first introduced by the Persian king, Anoushiravan, and that when this word reached the Arabs, the "gaf" ("G") was changed into a "jim" ("J") in accordance with the normal rule, so that the Arabs instead of saying "gaziyeh", called it "jezyah." Thus, jezyah means a tax, and paying taxes is not the same as extorting protection money. The Muslims too must pay taxes and the only difference is between the actual types of taxes that the Muslims have to pay and those the People of the Book have to pay. There is no proof however, for this view, that the origin of the word is not Arabic, and furthermore, we have no immediate interest in this word. Whatever the root of the word may be, what we must do is find out the nature of jezyah from the laws that Islam has introduced for it, and by which it is defined practically.

To put it in a different way, we must look to see whether Islam considers jezyah to be a reward or a punishment. If in return for the jaziyah, Islam makes certain undertakings, gives us certain services, then the payment of the jezyah is its reward. If, however, it takes the jezyah without giving anything in return, then it is a kind of protection money. If there is a time when Islam tells us to take jezyah from the People of the Book without giving anything in return, tells us just to take money from them or otherwise fight them, then it is protection money. Taking protection money means taking the right to use force. It means that the strong tell those who are weaker to give a sum of money if they want to be left alone and if they do not want interference or their security be destroyed. If, on the other hand, Islam says that it places an undertaking before the People of the Book and in return for that undertaking they are to pay jezyah to Islam, then in this case, the meaning of jezyah is a reward, whether it is an Arabic word or a Persian word. What we must pay attention to is the nature of the law, not the nature of the word.

When we perceive the essence of this law, we notice that jezyah is for that group of the People of the Book who live under the protection of the Islamic state, who are subject to the Islamic state. The Islamic state has certain duties towards its nation and likewise, the latter has its respective duties towards the Islamic state, and the first of these is to pay taxes to maintain the state budget. These taxes include that which is taken as zakat and that which is taken as other than zakat in the

form of various taxes that the Islamic government introduces in accordance to the best Islamic interests. All these must be paid by the people. In case they do not, then the Islamic government would automatically not be able to function. There is no governmental, budget which is not fully or partly financed by the people. Any government to have a budget, must sustain it either directly or indirectly by taxes.

The second duty of the citizens is to provide soldiers and undertake sacrifices for the sake of the state. There may be future dangers when the citizens of the state must help in its defense. If the People of the Book are living under the protection of the Islamic state they are not bound to pay those Islamic taxes and are not bound to take part in jihad, even though any advantages resulting from the jihad will also benefit them. In accordance with this, when the Islamic government secures the safety of a people and places them under its protection, whether they are its own people or not, it requires something in return from them; financial or other than financial. From the People of the Book, instead of zakat and the other taxes, it requires the jezyah and even instead of soldiers, it requires jezyah. So that in early Islam, it was such that whenever the People of the Book volunteered to come and fight in the ranks of the Muslims in the interests of the Islamic state and the Muslims, the latter didn't collect the jezyah and saying that the jezyah was received from them for the reason that they were not bound to provide soldiers, but, as they had themselves come forth to fight, that money was theirs and the Islamic state could not rightfully take it. In the commentary on the Quran called "Tafsir al-Menar," there are many accounts from various history books of how the early Muslims took jezyah instead of soldiers, and how the People of the Book used to be told that since they were living under the protection of the Islamic state and of the Muslims, but sending no soldiers (the Muslims would themselves not accept them), then instead of sending soldiers, they had to pay the jezyah. And if once in a while the Muslims in certain instances found confidence in them and accepted their soldiers, they no longer took jezyah from them.

According to this, whether or not jezyah is Arabic or Persian, whether it is from jaza or from gaziyah, this much is clear: from its legal meaning it is a reward to the Islamic government from its non-Muslim People of the Book citizens, in return for the services that it performs for them and in return for them not having to provide the state with soldiers and not having to pay taxes.

Now the first problem of how and why Islam stops its jihad for the sake of jezyah becomes clear. The answer is provided by the question, "Why does Islam want jihad?" It does not want jihad for the sake of the imposition of belief it wants jihad for the removal of barriers. When the other side tells us that it has no wish to fight us, and that it will not create a barrier to the call of tawhid, and keeps to its word, it is to be ruled in accordance with this verse:

«And if they incline to peace, then incline to it.» (8:61)

If they have been humbled, and manifest a mind and heart of peace and compromise, then we are not to be severe anymore.

We are not to say "Oh no. We do not want peace, we are going to fight." Now that they have come forward to live in peace and concord, we too must announce the same thing. Of course, now that they want to live with us under our protection, but do not have to pay any of the Islamic taxes, nor provide any soldiers, and neither do we have any confidence in their soldiers, then, in return for our services and protection, we take a simple tax from them called jezyah.

Some Christian historians like Gustav Le Bon and George Zaydun have discussed this issue in detail. Will Durant in Vol. II of his series "The History of Civilization" has also discussed the

Islamic jezyah and tells us that the Islamic jezyah was so trivial an amount that it was even less than the taxes the Muslims themselves paid and thus there was never any question of exaction.

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**Footnotes**

1- In fact, in the present book, this question is answered only indirectly. However, when we take into account the conditional verses about the legitimacy of jihad, which are dealt with in this book, we realize that there are no conditions relating to the depth of the enemy's faith in religion and its principles. The word "of" (Arabic min) when God says "of the People of the Book" is considered by the great Allamah Tabatabai, for example, in his "Mizan," as an "explanatory of" (Min bayaniyah), meaning that it could have been more accurately translated by the word "e.g." In which case, this unconditional verse reads as follows: «And fight those who have not faith in God nor in the Hereafter, and (who) forbid not what God and His Prophet have forbidden, who do not observe the religion of truth, e.g. the People of the Book, until they pay tribute by hand, and they are the low». All the conditions contained in the conditional verses then apply. As is clear, when the People of the Book live in an Islamic state, there is no question of those with more commitment to their religion paying less taxes, or tribute on this account than those with less commitment.

2- "Khoms" and "zakat" are the two famous tax - like charities of Islam, and "Hajj" is the famous act of worship performed each year in Mecca, which the Muslims who are able to do so must perform once in a lifetime.

3- "Shahid," i.e. martyr, one of the highest stations a Muslim can attain. The statement is a tradition of the Holy Prophet.

4- A "Muwahid" is a person who accepts the reality of tawhid.

5- "Tawhidic," which the translator has noticed in English texts, seems to be an anglicized noun from the Arabic word "tawheed" and meaning, pertaining to tawheed.

6- All notable Muslim poets.